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OCT 19 1973

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

H. STUART CUNNINGHAM
At.....o'clock.....

ALLIED LEISURE INDUSTRIES, INC.,
)
Plaintiff,
)
v.
)
MIDWAY MANUFACTURING CO.,
)
Defendant.
)

Civil Action No.

73C 2682

AFFIDAVIT OF WILLIAM E. OLLIGES IN SUPPORT
OF MOTION FOR TEMPORARY RESTRAINING ORDER

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

WILLIAM E. OLLIGES, being duly sworn, deposes and says:

1. I am President of Universal Research Laboratories Incorporated ("Universal"), an Illinois corporation having a place of business at 2501 United Lane, Elk Grove Village, Illinois 60007.

2. Universal manufactures and sells various types of electronic circuitry in Illinois and throughout the United States. One of Universal's electronic circuits, which is manufactured on behalf of Plaintiff, Allied Leisure Industries, Inc., is a printed circuit board for use in a four player ping pong or tennis game for playing on a cathode ray tube. A copy of a catalog sheet showing a cathode ray tube game sold by Plaintiff

is attached hereto as Exhibit 1.

3. Much developmental and artistic work was involved in producing said printed circuit board, Part No. AL5500. It took approximately 1,500 man-hours to produce the printed circuit drawing, all of which was an original effort on my part. The necessary steps in producing a printed circuit include the following:

- (a) The circuit that is desired is first engineered.
- (b) The circuit elements to be utilized are chosen.
- (c) A basic circuit diagram is prepared.
- (d) The circuit diagram is revised until a point-to-point schematic diagram is provided.
- (e) An artwork design technician generates a printed circuit layout. This is usually twice the size of the finished circuit drawing.
- (f) A printed circuit board is made up from the artwork.
- (g) Actual circuit elements are connected to the printed circuit board.
- (h) The printed circuit board with the circuit elements attached thereto is tested.
- (i) The necessary corrections are made on the tested printed circuit board.
- (j) The artwork is modified to show the corrections.
- (k) The artwork is photographically reduced to actual size.

- (l) A negative transparency is made.
- (m) A silk screen is generated from the negative.
- (n) Copper laminated fiberboard is drilled, plated and silk screened to provide an acid-resist coating.
- (o) The board is etched to form the circuit lines.
- (p) The circuit components are assembled on the printed circuit board.

4. Realizing the originality and intensive effort required in producing a printed circuit drawing, I made certain that the printed circuit had a proper copyright notice thereon. In addition, the printed circuit which I designed had many false lines introduced therein, so that another using such false lines would be conclusively established as a copier.

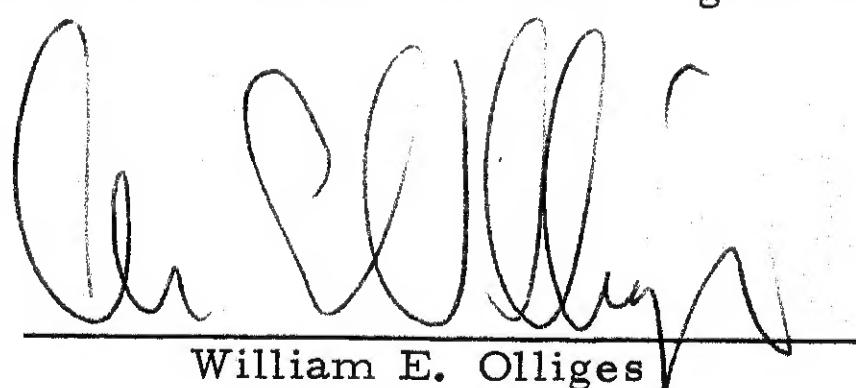
5. Within a month after the printed circuit board was first published, I filed in the U. S. Copyright Office an application for copyright registration in the name of Universal. Universal was awarded copyright Registration No. IP11237.

6. Said copyright Registration No. IP11237 has been assigned to Plaintiff, Allied Leisure Industries, Inc. Universal continues to be the sole supplier of the copyrighted printed circuit board to Plaintiff.

7. I recently learned that Defendant was marketing a four player ping pong or tennis game for playing on a cathode ray tube, and I obtained

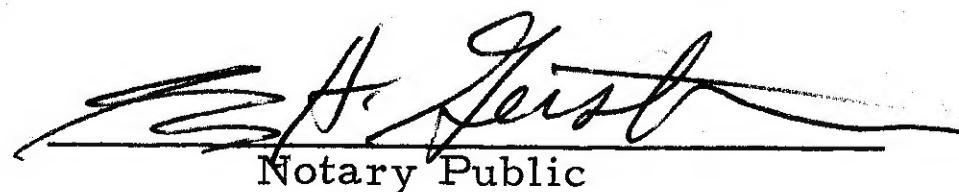
a specimen of the printed circuit board which is used in Defendant's said game. I have personally compared Defendant's printed circuit drawing with Plaintiff's copyrighted printed circuit drawing and note that they are substantially identical. All of the lines and holes of Plaintiff's copyrighted printed circuit drawing are found on Defendant's infringing printed circuit drawing in essentially the same place. Further, the false lines which I provided on Plaintiff's copyrighted printed circuit drawing are also found in Defendant's infringing printed circuit drawing, conclusively showing that Defendant copied from Plaintiff's copyrighted printed circuit drawing. In addition, substantially all of the circuit elements on Defendant's infringing printed circuit board are identical to the circuit elements on Plaintiff's copyrighted printed circuit board and operate in the same manner. In addition, Defendant's infringing printed circuit board is interchangeable with Plaintiff's copyrighted printed circuit board and they function identically.

8. I have read the Complaint to be filed in this lawsuit, and to the best of my knowledge and belief, all of the statements and allegations therein are true.



William E. Olliges

Subscribed and sworn to before me this 18th day of October, 1973.



S. H. Geist
Notary Public

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Overall Dimensions:
29 $\frac{1}{2}$ Wide x 66 $\frac{1}{2}$ High x 27 $\frac{1}{2}$ Deep
Gross Weight: 220 lbs.

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